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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------|-------------|----------------------|---------------------|------------------|
| 10/612,801 | 07/02/2003 | Jin-Man Im | 678-988 (P10426) | 5353 |
| 28249 | 7590 | 05/05/2006 | EXAMINER | |
| DILWORTH & BARRESE, LLP | | | HAROON, ADEEL | |
| 333 EARLE OVINGTON BLVD. | | | | |
| UNIONDALE, NY 11553 | | | ART UNIT | PAPER NUMBER |
| | | | 2618 | |

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-----------------|--------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/612,801 | IM, JIN-MAN |
| | Examiner | Art Unit |
| | Adeel Haroon | 2618 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 February 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-23 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5,7,8,10-15,17 and 19-23 is/are rejected.
- 7) Claim(s) 6,9,16 and 18 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

Response to Amendment

1. This Office Action is in response to Amendment filed on date: 2/22/06.

Claims 1-23 are still pending.

Response to Arguments

2. Applicant's arguments filed 2/22/06 have been fully considered but they are not persuasive.

The Applicant argues that Kang does not disclose a front cover including an opening portion for exposure of the camera lens and a lens containing recess within which the camera lens is received and a housing with a partition in a predetermined partition in a predetermined internal position, wherein a through-hole is formed in the partition to expose the lens containing recess (Remarks Page 8). The examiner respectfully disagrees. As evidenced by figure 6, Kang discloses an opening portion for exposure of the camera lens, 36, which is interpreted as a through-hole in the housing, 30, to expose the lens containing recess.

The applicant also argues that Kang discloses the front cover having a male hinge member while only the rear cover of the present invention, not the front cover, includes a male hinge member. It is noted that this "only" limitation is not in the claims. Although the claims are interpreted in light of the specification, limitations from the

specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The Applicant further argues that Kang's camera module is coupled to two inner sides and not one side of a top end of the main body as recited in Claim 14. It is noted that claim 14 recites "a camera lens module which is rotatably connected to a module receiving portion formed in a side of a top end of the main body". The limitation of "a side of a top end" was interpreted as being the top side of the top end of the main body, which is clearly disclosed by Kang in figure 4, as opposed to a corner of the top end.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, 7,8, 11-15, 17, and 19-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Kang (U.S. 2002/0187818).

With respect to claim 1, Kang discloses a camera lens module for a portable wireless terminal comprising a camera unit, element number 30, consisting of a camera lens and a flexible printed circuit, element number 54, which provides an electrical connection for the camera lens in figure 6 (Paragraph 31). Kang discloses a front cover and housing, element number 32 with element number 30, that provide an opening portion for the exposure of the lens and provides a partition in a predetermined internal position and a through-hole to expose the lens containing recess, 36, and for allowing the flexible printed circuit of the camera unit to be passed inherently, since element number 54 is seen coming through the housing. Also in figure 6, Kang teaches a rear cover comprising a first flange, element numbers 32a and 32b, which is connected to the other end of the housing and a male hinge member, element number 32, which extends from the first flange (Paragraph 37). Kang discloses a female hinge member, element number 41, comprising a cylinder which receives the male hinge member of the rear cover and a second flange, element number 42, extended from one side of the cylinder. Kang further discloses an elastic means, element number 44, which is mounted between the first and second flange for providing elastic force in a longitudinal direction of the female hinge member (Paragraph 36).

With respect to claim 2, Kang discloses ribs (in figure 5 the dashed region below Part B on both side of the lens), which forms the lens containing recess within which the camera lens is contained.

With respect to claims 3 and 4, Kang discloses a slit in the longitudinal direction of the male hinge member and female member to provide a passage for the flexible printed circuit (Paragraph 31).

With respect to claim 5, Kang shows in figure 6 the male member 32 on the right hand side protruding out from the female hinge member.

With respect to claim 7, Kang's figure 5 shows that the ribs contain recess for supporting the bottom and opposite lateral sides of the camera lens and Kang also discloses a transparent window, element number 36, for protecting the camera lens (Paragraph 31).

With respect to claim 8, Kang discloses a circumferential surface formed with a recess (in figure 5 the dashed region below Part B on both side of the lens), within which the exposure opening portion is positioned.

With respect to claim 11, Kang discloses projection protruding and grooves, element numbers 44a and 42a so that the relative rotation between the rear cover and the female hinge member is restrained (Paragraph 36).

With respect to claims 12 and 13, Kang shows elastic means as a leaf spring type in a shape of a crimped washer in figure 6. Kang also teaches that the elastic means is a rubber material and adhered on the first flange to surround the male hinge member (Paragraph 36).

With respect to claim 14, Kang discloses a portable wireless terminal comprising a main body, element number 10, and a folder, element number 20, rotatably hinged to main body in figure 4 (Paragraph 30). Kang discloses a camera lens module, element

number 30, which is rotatably connected to a module receiving portion (Paragraph 30). Kang discloses a lens assembly, element number 32 with element number 30, where a camera lens is contained and a through which a flexible printed circuit, element number 54, is drawn out, since element number 54 is seen coming through the housing. Also in figure 6, Kang teaches a rear cover comprising a first flange, element numbers 32a and 32b, which is connected to the other end of the housing and a male hinge member, element number 32, which extends from the first flange (Paragraph 37). Kang discloses a female hinge member, element number 41, comprising a cylinder that receives the male hinge member of the rear cover and a second flange, element number 42, extended from one side of the cylinder. Kang further discloses an elastic means, element number 44, which is mounted between the first and second flange for providing elastic force in a longitudinal direction of the female hinge member (Paragraph 36).

With respect to claim 15, Kang shows in figure 6 the male member 32 on the right hand side protruding out from the female hinge member.

With respect to claim 17, Kang discloses a lens receiving portion (in figure 5 the dashed region below Part B on both side of the lens), formed in a curved shape to support a side of a circumferential surface of the housing of the lens assembly. Kang also discloses a cylindrical hinge receiving portion, element number 26, which extends from an end of the lens receiving portion and receives the hinge assembly (Paragraph 30).

With respect to claim 19, Kang discloses a slit for providing a passage for the flexible printed circuit (Paragraph 31).

With respect to claim 20, Kang discloses a rotating frictional piece, element number 44, provided with at least two connecting projections, element number 44a, is provided with connecting holes which correspond to the connecting holes of the female hinge member and the internal wall is formed with a plurality of grooves (Paragraph 36).

With respect to claim 21, Kang discloses a camera lens module for a portable wireless terminal comprising a camera unit, element number 30, consisting of a camera lens and a flexible printed circuit, element number 54, which provides an electrical connection for the camera lens in figure 6 (Paragraph 31). Kang discloses a front cover and housing, element number 32 with element number 30, that provide an opening portion for the exposure of the lens and provides a partition in a predetermined internal position and a through-hole inherently, since element number 54 is seen coming through the housing, for allowing the flexible printed circuit of the camera unit to be passed. Also in figure 6, Kang teaches a rear cover comprising a first flange, element numbers 32a and 32b, which is connected to the other end of the housing and a male hinge member, element number 32, which extends from the first flange (Paragraph 37).

With respect to claim 22, Kang discloses a female hinge member, element number 41, comprising a cylinder which receives the male hinge member of the rear cover and a second flange, element number 42, extended from one side of the cylinder.

With respect to claim 23, Kang discloses ribs (in figure 5 the dashed region below Part B on both side of the lens), which forms the lens containing recess within which the camera lens is contained.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kang. Kang's portable wireless terminal is described above in the discussion of claim 1. Kang does not expressly disclose the male hinge member and other corresponding parts having one or more flat surfaces. However, having at least one flat surface on male hinge member is extremely well known in the art. Therefore, it would be obvious to one of ordinary skill in the art at the time of the applicant's invention to have at least one flat surface on the male member and have corresponding shaped parts in order to provide more friction on the connection.

Allowable Subject Matter

7. Claims 6, 9, 16 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. With respect to claims 6 and 16, the specific technique of providing a connecting groove on a circumferential surface

to fit an E-Ring thereby providing a rotatable connecting was neither found nor fairly suggested in the prior art. With respect to claim 9, the specific technique of using screw holes in the front cover, housing, and rear cover to connect the parts was neither found nor fairly suggested in the prior art.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adeel Haroon whose telephone number is (571) 272-

7405. The examiner can normally be reached on Monday thru Friday, 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AH
4/17/06

Nguyen Vo
4-25-2006

NGUYEN T. VO
PRIMARY EXAMINER